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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,001	11/21/2001	Futoshi Hachimura	B422-176	6301
26272 7590 01/30/2007 COWAN LIEBOWITZ & LATMAN P.C. JOHN J TORRENTE 1133 AVE OF THE AMERICAS NEW YORK, NY 10036			EXAMINER CHAI, LONGBIT	
			ART UNIT	PAPER NUMBER
			2131	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/30/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/990,001	HACHIMURA, FUTOSHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Longbit Chai	2131	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 December 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-6,8-14,16-19 and 21-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-14,16-19 and 21-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Currently pending claims are 1, 3 – 6, 8 – 14, 16 – 19 and 21 – 30.

### ***Response to Arguments***

2. Applicant's arguments filed on 12/18/2006 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn and, upon further consideration, a new ground(s) of rejection has been made – see the following Office action.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 6, 8 – 14, 16, 19 and 21 – 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wright et al. (U.S. Patent 2002/0016910), in view of Saliba et al. (Patent Publication Number: 2001/0037315), and in view of Anderson (U.S. Patent 2002/0052923).

As per claim 1, 13, 14, 26 – 30, Wright teaches a communication system having a server for providing a Web E-mail service to a Web browser (Wright: Para [0054] Line 12 – 16 and Para [0064] Line 1 – 7) of a client, wherein said server comprises:

management means for managing a key for decrypting an encrypted E-mail message addressed to a user's mail address (Wright: Para [0058] and Para [0064] Line 1 – 7), the E-mail message being encrypted by public key corresponding to the user's mail address (Wright: Para [0074] Line 13 – 15), wherein the secret key corresponding to the user's mail address for decrypting the encrypted E-mail message is not managed by the Web browser of the client (Wright: Para [0058]: the security key can be managed by the server; instead of the client).

Wright does not disclose expressly web encryption communication means for establishing a Web encryption communication with the client, and communicating with the client by the Web encryption communication established by said web encryption communication means.

Saliba teaches web encryption communication means for establishing a Web encryption communication with the client, and communicating with the client by the Web encryption communication established by said web encryption communication means (Saliba: Para [0120]: SSL provides the lower level data encryption communication).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Saliba within the system of Wright because (a) Wright teaches providing e-Mail access through web URL (Wright: Para

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[0064], [0054] and [0056]) , and (b) Saliba teaches providing e-Mail distribution by protecting the URL via SSL encryption to enhance the security (Saliba: Para [0120]).

authentication means for executing authentication of a use of allowance of the key managed by said management means to the client (Wright: Para [0020] Line 1 – 10). However, Wright does not disclose expressly the Web browser of the client requests to decrypt the encrypted E-mail message.

Anderson teaches the Web browser of the client requests to decrypt the encrypted E-mail message (Anderson : Para [0006] Line 9 – 12, Para [0007] and Para [0027]: the server can perform message decryption if necessary).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Anderson within the system of Wright because (a) Wright teaches providing an improvement of efficiency and competency of electronic message delivery system (Wright: Para [0008]), and (b) Anderson teaches providing a more flexible as well as more beneficial mechanism of electronic message delivery system with user's option to handle the electronic messages by simply sending user's request and instructions to the message server system (Anderson : Para [0006] Line 9 – 12 and Para [0007]).

decrypting means for making a decrypted message by decrypting said encrypted E-mail message using the secret key managed by said management means is authenticated by said authentication means (Anderson: Figure 5 Element 515 / Element 550, Para [0006] Line 9 – 12, Para [0027] and Para [0038] – [0039]), the secret key corresponding to the user's mail address, in the case where the allowance of the secret

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key managed by said management means is authenticated by said authentication means (Wright: Para [0058] and Para [0060]: the security key can be managed by the server; or, instead may reside on the client – i.e. the secret key corresponding to the user's mail address and the client may need to be authenticated by correct key-phrase); and

transmission control means for controlling to transmit the decrypted E-mail message decrypted by said decrypted means to the client through the Web encryption communication established by said web encryption communication means (Wright: Para [0064] Line 1 – 7, Para [0020] Line 1 – 10 and Para [0058] Last sentence: (a) to deliver the E-mail across the network such as internet URL (HTTP) over the network to deliver the message to the client and the decryption of the message / document can be done at the 3<sup>rd</sup> party, such as a server as an alternative) and (b) (Anderson: see for example, Para [0019] Line 6 – 10: to deliver the E-mail across the network such as internet URL (HTTP) through various nodes and links until it reaches the recipient users) and (c) (Saliba: Para [0120])).

As per claim 3 and 16, Wright as modified teaches said authentication means provides said client with a window data to authenticate the use allowance of the managed key (Wright: Para [0058] and Para [0054]: web-based application must be window-oriented).

As per claim 4 and 17, Wright as modified teaches said authentication means authenticates the use allowance using a passphrase inputted from said client (Wright: Para [0020]).

As per claim 5 and 18, Wright as modified teaches said authentication means authenticates the use allowance based on a biometrics information of a user inputted from said client (Wright: Para [0015]).

As per claim 6 and 19, Wright as modified teaches said web encryption communication means establishes the Web encryption communication with the client by using SSL (Wright: Para [0056]) & (Saliba: Para [0120]: SSL provides the lower level data encryption communication).

As per claim 8 and 21, Wright as modified teaches said authentication means authenticates the use allowance of the managed key during a session of the Web encryption communication continuously established between said client and a server (Wright: Para [0056]) & (Saliba: Para [0120]: SSL provides the lower level data encryption communication).

As per claim 9 and 22, Wright as modified teaches said authentication means stops said authenticated use allowance, in the case where at least either the case where said encryption communication is ended with an error or the case where said

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encryption communication has passed a fixed time is satisfied (Wright: Para [0056] –

This is part of the typical features for encrypted web communication HTTP / SSL layer

that is also described in the specification of the instant application (SPEC: Page 14 Line 6 – 14)).

As per claim 10 and 23, Wright as modified teaches said server further comprises signature means for executing a digital signature to an E-mail required for the digital signature by said client (Wright: Para [0015]).

As per claim 11 and 24, Wright as modified teaches managing whether said key is under multiple use, an said management means comprises stop means for stopping the use allowance of said session under multiple use in the case where said session is judged to be under multiple use (Wright: Para [0007]: the private key is unique to a specific user).

As per claim 12 and 25, Wright as modified teaches the key for decrypting said encrypted E-mail is a secret key in a code of a public key cryptosystem (Wright: Para [0020]).



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788.


The examiner can normally be reached on Monday-Friday 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Longbit Chai  
Examiner  
Art Unit 2131

  
LBC

  
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